

*Bert Meyer*

R E C O R D E D   S T A T E M E N T

Adjuster: My name is Heidi Kahlbaum. I'm employed with Frank Gates Acclaim. At the present time I am interviewing Mr. Bert Meyer at the Frank Gates Acclaim Conference Offices. This recording is being made on behalf of the employer which is Matson Terminals and its insurance carrier which is Signal Administration. This interview concerns a worker's compensation claim filed by Mr. Meyer for an injury that happened on or about October 1, 2002. Mr. Meyer, can you please state your full name and spell the last name.

Claimant: Bert Wayne Meyer. That's M-E-Y-E-R.

Adjuster: Okay. And Bert is B-E-R-T?

Claimant: Yes, ma'am.

Adjuster: Okay. And are you aware that this conversation is being recorded?

Claimant: Yes, I am.

Adjuster: Is it being done with your consent?

Claimant: Yes, it is.

Adjuster: And is it...um...I'm sorry. We need to, first of all, just verify...Um...I need to get your residence and mailing address.

Claimant: Okay. It's 91-1023 Lipo Street. That's L-I-P-O. That's in Kapolei. 96707.

Adjuster: 96707?

Claimant: Yes, ma'am.

Adjuster: Okay. And just for the record, today's date is Thursday, October 17, 2002 and the time is approximately 10:38 a.m. Okay. Mr. Meyer is the address both mailing and residence?

EXHIBIT "A"

-2-

Claimant: Yes, ma'am.

Adjuster: Okay. And telephone number?

Claimant: 674-2438.

Adjuster: 2438?

Claimant: Yes.

Adjuster: Okay. That's home number. Is there...Do you have any other contact numbers, like a cell number?

Claimant: A cell number is 722-6776.

Adjuster: Okay. Date of birth.

Claimant: 4/7/67

Adjuster: And social security.

Claimant: 575-19-5133.

Adjuster: 5133?

Claimant: Yes, ma'am.

Adjuster: Okay. And is your driver's license a Hawaii driver's license?

Claimant: Yes, ma'am.

Adjuster: And martial status?

Claimant: Married.

Adjuster: And spouse's first name.

Claimant: Laurie L-A-U. L-A-U-R-I-E. I don't believe I forgot that...

Adjuster: R-I-E?

-3-

Claimant: Yes.

Adjuster: Okay. Any dependent children.

Claimant: Yes, ma'am.

Adjuster: How many sons, how many daughters?

Claimant: 2 sons.

Adjuster: Okay. And who is your actual employer?

Claimant: McCabe, Hamilton, and Renny.

Adjuster: Okay. Do you remember your date of hire with them full-time?

Claimant: Uh...September 10, 2001.

Adjuster: 2001.

Claimant: Yeah.

Adjuster: Okay. And that's full-time status?

Claimant: Yes.

Adjuster: And prior to that you worked...? Um...

Claimant: Part-time.

Adjuster: Part time. Do you remember what was the duration of part-time work with them?

Claimant: Uh...March of '96.

Adjuster: Up until before the full-time position?

Claimant: Yes.

Adjuster: Okay. I'll say up to September 9, 2001. Okay. Was it the same position?

Claimant: Yes, ma'am.

-4-

Adjuster: Okay. And on the date of injury October 1, 2001, which is...Let me borrow the calendar...

Claimant: Tuesday.

Adjuster: Tuesday. Is that correct?

Claimant: Yes.

Adjuster: Okay. Is there an approximate time that the injury happened?

Claimant: I believe it happened around 7:00 p.m., roughly.

Adjuster: Okay. This was the night shift then?

Claimant: Yes, ma'am.

Adjuster: Okay. What time did the shift start?

Claimant: 6:00.

Adjuster: P.M.? And did you complete the shift?

Claimant: Yes, ma'am.

Adjuster: What time approximately did the accident...?

Claimant: We were off about, I believe, it was like 1:30.

Adjuster: A.M.

Claimant: Yes. I had a couple guys give me a break before lunch and everything, but then after I got hurt they came in like split my shift out.

Adjuster: Okay. Is that normal to finish around that time?

Claimant: Um...No. We was actually suppose to go til...An 8 hour goes to like, um, 3:00 in the morning, but then we finished. We got below deck before that.

Adjuster: Oh, okay.

-5-

Claimant: So...

Adjuster: So it just so happened.

Claimant: We just...

Adjuster: I mean, you guys did your job and...

Claimant: Yes.

Adjuster: And just got done earlier?

Claimant: The area.

Adjuster: Okay. Have you been out of work since after that or...?

Claimant: Excuse me?

Adjuster: Have you been off from work?

Claimant: Yes, ma'am. Just a second.

Adjuster: Okay. And you're still out?

Claimant: Yes.

Adjuster: Okay. Okay. And, um, October 1, 2001 or shortly thereafter did you have any other employers you worked for, like part-time jobs?

Claimant: No, ma'am.

Adjuster: How about any self-employment?

Claimant: No, ma'am.

Adjuster: Okay. And prior to being hired at McCabe on September 10, 2001 full-time...You worked for them part time...Did you have any other employers you worked part-time for?

-6-

Claimant: No.

Adjuster: Okay. Who was your last full time employer?

Claimant: Generators Hawaii.

Adjuster: And what years was that?

Claimant: Um...I believe it was, uh, July of '91 til July of, um...'99...Something like that...around...

Adjuster: Okay. July. Oh, I'm sorry, what was the start time?

Claimant: '91.

Adjuster: '91. Okay. So you were there a long time then, right?

Claimant: Yeah.

Adjuster: What was your job title?

Claimant: I was a generator technician.

Adjuster: Okay. And...Okay, so, that ended July '99, so it did kind of, um, overlap into the part-time period?

Claimant: Yes. I was working part-time.

Adjuster: Okay. Okay. From '99 to...Okay. They were the only other employee you had during that part-time period?

Claimant: Yes.

Adjuster: Okay. And I'm sorry that was Generators Hawaii, yeah?

Claimant: Yes.

Adjuster: Okay. Now on...With, um, McCabe this...?

Claimant: Want one?

Adjuster: No, thank you.

-7-

On October 1<sup>st</sup>, this is a job that was at Matson Terminals, correct?

Claimant: Yes.

Adjuster: Where was the actual location?

Claimant: It was Pier 53.

Adjuster: Okay. And this is, like, in the dock area?

Claimant: Yes.

Adjuster: Okay. Is it outdoors, yeah?

Claimant: Yes.

Adjuster: Okay. Do you happen to recall what the weather conditions were that day? Was it clear?

Claimant: It was just...um...slightly overcast.

Adjuster: Okay. Do you know if it was...had rained or...?

Claimant: No, it didn't rain. I don't think, believe it rained that night.

Adjuster: Okay. Okay. And your job title there?

Claimant: I was the X man. The after X.

Adjuster: Okay. After X.

Claimant: Yes.

Adjuster: Okay. What does that mean?

Claimant: That's the after section.

Adjuster: Oh, okay.

Claimant: You have the after, center and forward.

-8-

Adjuster: Oh, okay. The section of the ship, yeah?

Claimant: Yes.

Adjuster: Okay. And as this...In this position what are you required to do?

Claimant: Um...Be in the ship before the crane... You have to unlock all the upper cans of the deck and then, um, your job after that is babysitting, making sure none of the them stuck. Uh...That's my definition of it. But it's basically not, make sure operation doesn't stop with a stuck can.

Adjuster: Okay.

Claimant: What it is, its cones you have to unlock all the cones. Don't ask my why they call it cones.  
(Laughter)

Adjuster: (Laughter) Okay. So what is a can?

Claimant: A container.

Adjuster: Is that a container?

Claimant: Yes, ma'am.

Adjuster: Okay. So when you're unlocking the...You said upper ten?

Claimant: Yeah.

Adjuster: That's the level?

Claimant: The 3 and 4 highs.

Adjuster: Oh, okay.

Claimant: I don't believe they were.

Adjuster: That's how they stack it, right?



-9-

Claimant: Yeah. And then there's a 5 high stacks.

Adjuster: So you had to do 3 and 4 and if there were 5?

Claimant: Yeah.

Adjuster: Okay.

Claimant: And your other two cone men usually help.

Adjuster: Oh, okay. Yea, I hear that term cone man. Is that the same as this, then?

Claimant: Well, ba... You have two cone men on the ground and then you have X men on the top. So once the cans, disappear from the top, you still have the two cone men, but not the X man.

Adjuster: Um-hm.

Claimant: Because the X man is only for on deck work.

Adjuster: Um...So when you're unlocking the cans.

Claimant: Um-hm.

Adjuster: On the upper area you're actually unlocking what, the cone?

Claimant: The cones, yes.

Adjuster: Oh, okay. So when you unlock the cones, you don't actually have to take it up, off and put in the bins.

Claimant: No. That's the guy, the cone man on the ground, after it comes off the ship they put it in the bins.

Adjuster: That's what they do.

Claimant: Yeah.

Adjuster: Oh, okay.

Okay. And then was there, um...Do you remember who

-10-

the supervisor was on duty that day? That night?

Claimant: Um... Danny... Kaneala. That was my supe.

Adjuster: Kaneala?

Claimant: Yes.

Adjuster: Is he Matson or McCabe?

Claimant: Matson.

Adjuster: Okay, and did you report the injury on the same day?

Claimant: Yes.

Adjuster: Okay. Who was the first person you told of the injury?

Claimant: Danny.

Adjuster: Okay. Did you tell him, like right after it happened?

Claimant: Yeah. He came and got me out of the hole. I was... He was the one who helped me out.

Adjuster: Oh.

Claimant: I couldn't get out without him.

Adjuster: Okay. Was he an actual witness. Did he see you fall?

Claimant: Um... He didn't see me fall. I don't think he did. Because basically I was yelling for him to come so...It took him awhile to get there so I don't believe he seen anything.

Adjuster: Okay. Do you know if anybody actually witnessed?

Claimant: No, not, not off hand.

Adjuster: Okay. But Danny had come. Okay. Anybody else came

-11-

besides Danny to assist you?

Claimant: Uh, no.

Adjuster: Okay.

Claimant: Um... A guy that was handling the pigs on the boat gave me some Excedrin and stuff cause he came right after Danny got me out.

Adjuster: Um-hm.

Claimant: Uh, he didn't help or anything.

Adjuster: Okay. Do you remember...?

Claimant: And I don't, I don't know his name. I just know he's the pig man.

Adjuster: Pig man?

Claimant: Yeah. He takes care of the pigs on the boat.

Adjuster: Oh, really.

Claimant: Yeah.

Adjuster: What kind of a boat is this?

Claimant: It's a big container ship but they ship 150 pigs a week.

Adjuster: Live pigs?

Claimant: Live pigs for slaughter.

Adjuster: Oh.

Claimant: They have a shortage of pigs here.

Adjuster: Oh, so they ship it in from the mainland?

Claimant: Yeah.

-12-

Adjuster: Oh, okay. And he just gave you some medication to help?

Claimant: Some stuff like Excedrin and stuff like that.

Adjuster: Okay.

Claimant: Cause he said I looked like I got beaten up.

Adjuster: Okay. And after Danny was there anybody else, either McCabe or Matson that you also spoke with that day?

Claimant: Um... I... When I did my report, um, Ray filled it out with me.

Adjuster: He helped you fill it out?

Claimant: Yeah. I don't know...

Adjuster: He's another Matson...? Is he like a supe?

Claimant: He is a Matson supe, yes.

Adjuster: Ray though... Anybody else?

Claimant: No.

Adjuster: Okay. And can you tell me, uh... What were you doing right before the accident happened and what happened?

Claimant: I was, um, clearing my poles out of the, um, aisles.

Adjuster: Cleaning?

Claimant: Clearing.

Adjuster: Clearing. Okay.

Claimant: My poles out of my rod... My cone poles out of the aisle. Cause it was getting tied up with the other rods.

Adjuster: This is on the ship?

-13-

Claimant: Yes.

Adjuster: Okay. Do you remember, is it at the aisles that it is located?

Claimant: Yeah. It is between 15 and 16 on the catwalk.

Adjuster: Okay.

On the catwalk?

Claimant: Yeah.

Adjuster: Okay. So are you actually on the catwalk?

Claimant: Yes.

Adjuster: Okay. Okay. And you are clearing out the poles.

Claimant: Yeah.

Adjuster: And then what happened?

Claimant: Um... I was stepping over some rods and stuff and I guess the lock cover, everything was covered with pig urine and stuff over there, cause that's where the pigs were. So when I stepped on, um, I believe it's called the, the D rings but they were actually, we bolt the buckles too and then, um, I put my foot there cause I had to step over some rods and stuff and then when I went to put my weight on it, it just slid right into the hole.

Adjuster: Okay.

Claimant: Cause I didn't, I didn't realize that my left... I didn't realize there was a hole there. Cause I couldn't see anything.

Adjuster: Okay. And this is your, which foot?

Claimant: My left foot.

Adjuster: Okay. So your left foot was...?

-14-

Claimant: My main support.

Adjuster: Okay. Okay and you said you put your left foot on the...

Claimant: It's like a buckle.

Adjuster: Okay.

Claimant: To step over all the rods.

Adjuster: And this is on the, like on the corner of the catwalk or something?

Claimant: Yes. There's a deck and a catwalk that goes... The way this... Usually you have regular dock boards, but row 15 is higher than 16. 16 is lower so they have this, uh, a catwalk that sticks out so you can actually walk under the catwalk and take care of all the pigs and stuff.

Adjuster: Oh.

Claimant: So basically I was on the catwalk and I put my foot on the deck and tried to get over and then basically that's when I think I lost my footing.

Adjuster: Okay. Oh, my gosh, I got lost there. So you put your left foot on...?

Claimant: A buckle.

Adjuster: A buckle. Okay.

Claimant: Yeah.

Adjuster: Okay. And this is, you said, on the...This is part of the deck though?

Claimant: Yes. Attached, yeah. It was attached to the deck at that time

Adjuster: Rather than the catwalk, right?

-15-

Claimant: Well, there was... See, um...There is a section of the catwalk that was missing. So I had to step over that and then step over some rods and then basically I, I guess I luckily I didn't fall in the big section.

Adjuster: Oh.

Claimant: I avoided this big section that was missing, made it past that and then for some reason I smelled oil in the small section, I guess.

Adjuster: Ha, ha. Okay. That section that was missing, you said the catwalk was missing.

Claimant: Yeah.

Adjuster: Now the catwalk... So as I understand it. From what I have heard...

Claimant: Yeah.

Adjuster: It's, um...That's a portable like, um, like walkway that, they put there on the upper levels and then it's removed later?

Claimant: Yeah.

Adjuster: Is that it?

Claimant: Well, this is. This is, it's not as... That's what you call dock boards. I call this a catwalk because, um, basically you can go underneath it. Um... It's not attached. The other ones are just laid down in these grooves that you pick up and throw out.

Adjuster: Yeah.

Claimant: This one is actually hooked onto the deck and hangs over. So there's actually a... You can take it out... I guess the way, you took them out of the way, so you can go around on the ladder and walk underneath to water the pigs and everything, but with

-16-

the rod getting caved, they threw all the buckles and the rods on top of this cap, so I couldn't get it out. So I haven't... There was a section about maybe, I want to say about 3 or 4 feet missing, so I had to jump over that.

Adjuster: Oh.

Claimant: To basically, what was, we were unlocking we had to get everything over there and unlock everything and I was putting everything out again. So...

Adjuster: So you were okay getting over that part.

Claimant: Yeah. And I... I actually went in, unlocked everything and I was coming out already, cause that was the last section I had to do. So I was putting out all the poles and everything. And then I got over that fine and then I didn't realize that there was another small little hole between the deck and the catwalk. Cause actually the catwalk extended past that. It was just that there was a little hole, like on the, I guess, the edge of the, um, the lid.

Adjuster: Yeah. Um-hm.

Claimant: The container lid...The deck lid.

Adjuster: Yeah.

Claimant: So I didn't realize there was a little hole there, cause you couldn't see anything.

Adjuster: Oh. Yeah, yeah.

Claimant: So...

Adjuster: Just so I kind of picture, can you just, um, just draw for me...

Claimant: Okay.

Adjuster: Like where the, that buckle is.



-17-

Claimant: Okay, over here...

Adjuster: And the catwalk and where the hole, where your foot.

Claimant: This is the lid. This is like, I believe there's three.

Adjuster: And this on the deck?

Claimant: Yes. This is the deck part. And this is...There is a catwalk here that extends all the way here.

Adjuster: That's where everybody walks on.

Claimant: Yeah.

Adjuster: Okay.

Claimant: And then, um... This is the, this is the end of the hole right here. But it, this extends all the way to here.

Adjuster: The catwalk?

Claimant: Yeah. And then, um...There was...

Adjuster: What's over here?

Claimant: This is that walkway.

Adjuster: Oh, okay.

Claimant: And the containers go over this too. The containers go all way to the edge here.

Adjuster: Oh, okay.

Claimant: So you have containers... So, right here...

Adjuster: All of this is containers?

Claimant: Yeah.

Adjuster: Oh, okay.

-18-

**Claimant:** There's containers here and there's containers from here.

**Adjuster:** Oh.

**Claimant:** But it's actually lower because you have...um... Here's another container. Two containers. The other containers actually start from like right...here. And the catwalk extends...Oh, I should have changed...Like right over here. There's another catwalk there.

**Adjuster:** Um-hm.

**Claimant:** I should made a little space, but then um...So I have a walkway, but over here there is a section of the catwalk that was missing. So I got over that and then there was this little hole over here which I...you know, there's everything extending, so I put my foot on the buckle here and that's where my foot went.

**Adjuster:** Oh.

**Claimant:** My, my...As soon as I put all my weight on it...I guess because it was all covered in the urine and everything.

**Adjuster:** Yeah.

**Claimant:** My foot just went right down and it... I was expecting to hit the ground and then the next thing, you know, it just went straight in.

**Adjuster:** Oh, okay. So you're clearing cone poles. So what you're doing is when you walking the catwalk you're clearing cone poles as this whole way?

**Claimant:** No, I was pulling. I was pulling the 3...the 4 poles out with me because, um, the other 2 guys left their

-19-

poles in that aisle. So I would need that poles... I'd have to go wherever the crane is and take it out, so I need the poles with me.

Adjuster: So you need the poles with you?

Claimant: Yeah, cause in case it's a one high or two high, like the other so...

Adjuster: Oh, okay.

Claimant: Like the other side the length poles. So I'm getting them all So I can.... I usually lay 'em over here on each side.

Adjuster: Oh, okay, okay, okay.

Claimant: So...

Adjuster: How many poles are you talking about?

Claimant: Well, I was lucky. I had...We, we brought up 4 poles, but then I was lucky to find other poles in the aisle, so that's why I was bringing it out. outside to have 2 sets.

Adjuster: Oh.

Claimant: So I could have two sets. Cause if you have only 1 set, especially if it's a 5 high, I mean, you have to go...Imagine these containers are like about 10 feet high, so you need a \_\_\_\_\_ that can extend long so. It's easier and faster to get them laid out in the aisle and get them ready to go.

Adjuster: So you can just grab them when you need them.

Claimant: Yeah, instead of going down...Say if like, if I'm here and this corner is stuck, that means I got to take this pole and come around this side. Where as I can just come down the ladder and come up this side and I have a pole there already.

Adjuster: Um-hm.

-20-

Claimant: So it just makes the job go a little faster so I always try to attempt to look for extra poles in the section.

Adjuster: And these extra poles will be cause they're left there by other people.

Claimant: Yeah.

Adjuster: And stuff like that.

Claimant: So...

Adjuster: Oh, okay, okay, okay. And these poles are what you're doing to unlock.

Claimant: Yeah. They have a little...

Adjuster: The containers, yeah?

Claimant: Um... A hook. Cause on the pole they have a hook that goes, this way. So you can pull down here or pull up.

Adjuster: Oh. Which ever direction.

Claimant: Yeah. And you twist.

Adjuster: Oh, okay, okay, okay. So what you're doing actually is you're just walking down the catwalk.

Claimant: Yeah. I'm walking back on to get to the shore side cause I, I usually stay on the shore side, instead of off shore.

Adjuster: Oh, okay, okay.

Claimant: That way if there's any...If there's a supe down here and a supe up here, so if a can comes off and they see a cone is missing, more than likely it's stuck on one of these cans, so I have to go and take that off also.

-21-

Adjuster: Yeah. Okay, when the accident happened, are you actually caring the poles or is anything in your hands?

Claimant: Yeah, the poles.

Adjuster: The poles. Okay.

Claimant: I have two poles. I believe I had a... a one high pole and a two high pole with me.

Adjuster: Okay. So you had 2 poles in your, in your arms, yeah?

Claimant: Yeah.

Adjuster: Okay. And then, um, so basically you're really just walking and then you have to get around the poles.

Claimant: Okay. I got over there, so then I had to, um, they had buckled down, um... The lashing and everything that they had dropped already, you know, the rods and the buckles.

Adjuster: Um-hm.

Claimant: I was stepping over that.

Adjuster: Oh, okay, okay. Yeah.

Claimant: And so...

Adjuster: And why is the cat...This section of the...

Claimant: I don't know. I believe, um, maybe the, um, when they're sailing they remove this, so that I could get down and water...Cause all the water runs there.

Adjuster: Oh.

Claimant: For the pigs.

Adjuster: Yeah, where are the pigs now?

-22-

Claimant: The pigs are in the row 16. That's this one here.

Adjuster: So they're in a section where containers would normally go.

Claimant: Yeah. Yeah. They're actually in the containers.

Adjuster: Oh, really.

Claimant: You have, um...It starts off in an open rack, pig, open rack, pig, open rack, pig. I think you have like about 5 containers and then you have regular containers over that going up 4 high.

Adjuster: Oh, so they put these pigs in the container?

Claimant: Yeah. Well, it's kind of... They're...They're open, um, livestock containers, so they're made for pigs and cattle.

Adjuster: Oh. There's something special for that, huh?

Claimant: Yeah

Adjuster: Oh, okay. Okay. And then, okay, so you got over that and then you're stepping and as you're trying to get where you're walking.

Claimant: Um-hm.

Adjuster: There's all this lashing equipment.

Claimant: Yeah.

Adjuster: Down on the ground. Okay.

TAPE ACCIDENTALLY ERASED HERE. (About 30 seconds)

Claimant:

Adjuster:

Claimant:

-23-

Adjuster:

Claimant:

Adjuster:

Claimant:

Adjuster:

Claimant:

Adjuster:

Claimant:

Adjuster:

Claimant: [Coughing.] Excuse me.

These containers are 45's so they stuck out to here.  
So like, I mean, basically this is, all the light you  
have is what's coming in through here.

Adjuster: Um.

Claimant: Which is very little. I mean it's only a space about  
that much.

Adjuster: Yeah. So 45's are the bigger containers?

Claimant: The longer containers

Adjuster: Oh.

Claimant: So they stuck out over the 40 foot, the 40's.

Adjuster: Oh, okay. And this is nighttime?

Claimant: Yes.

Adjuster: Do you think the lighting had anything to do?

Claimant: Maybe if it was daytime I would've seen the hole, but

-24-

I couldn't see nothing.

Adjuster: Um...Oh.

Claimant: [Coughing]

Adjuster: And the light that is filtering through, is it from coming from, uh, they have light.

Claimant: Usually, um, where the crane is, uh, there are lights but the crane wasn't here yet.

Adjuster: Um-hm.

Claimant: There's no light.

Adjuster: Oh, okay. So it was kind of dark then.

Claimant: [Coughing] I believe somebody in the center section made a complaint about the lighting that night.

Adjuster: Okay. And then again there is a lashing equipment on the, on the catwalk?

Claimant: Yes.

Adjuster: Okay. So when you're, when this injury happened you're actually still on the catwalk, yeah?

Claimant: Yes.

Adjuster: Okay. And then there was a hole. Not a big hole though?

Claimant: Yeah. Well, you might want to put in parentheses "dock boards", cause they going to say what kind of catwalk. They call everything dock boards, but like I would say more of a catwalk.

Adjuster: Wait. Maybe dock walk, you said?

Claimant: Uh. They call it dock boards.

Adjuster: Dock boards?



-25-

Claimant: But then, I consider that a catwalk cause the dock boards means it's the boards between each lid. This one hangs over and it attaches in a different way.

Adjuster: Yeah, cause this is different than the other one, right?

Claimant: Yeah.

Adjuster: That comes right off, yeah?

Claimant: Yeah.

Adjuster: Okay. Do you have any idea how the sizes or the size of that hole might have been?

Claimant: Figured like 10 by 14.

Adjuster: Okay.

Claimant: I mean. So, I mean...It went up to my thigh to fit it to get it stuck.

Adjuster: Okay. And you couldn't see it, right?

Claimant: No.

Adjuster: Okay.

Claimant: After I fell in it, I could see it.

Adjuster: Okay. Now do you think, um, did your foot slip or anything?

Claimant: Yeah, cause I was stepping on a... I was stepping on a buckle, so I pretty, I thought I had pretty good solid footing and then I guess when I put all my weight on it, it just slipped.

Adjuster: Um-hm.

Claimant: And just went right into the hole.

-26-

Adjuster: Okay.

Claimant: As I said everything was covered in that, um, the urine and everything so what happened is, when they sail all the winds swirls, so it's all over, like this container, could be in another row, but here you can, when it comes off you can actually; in the daytime you see the flies all over the container and everything. It's kind of disgusting.

Adjuster: I can see you want to rush through that. Ha-ha.

Claimant: Yes. But it clears the sinuses pretty well.

Adjuster: Yeah?

Claimant: You know, you went in there wit a stuffy nose, you know, a head cold, come out of there with clean, clear sinuses.

Adjuster Ha.

Claimant: It's amazing what it does. This ammonia.

Adjuster: Is that what they use to clean it up.

Claimant: No, that's just the urine.

Adjuster: Oh, from the urine.

Claimant: Yeah.

Adjuster: Oh. Okay and your left foot stepped in the hole, yeah?

Claimant: Yes.

And basically my right foot went in the other direction.

Adjuster: Oh, okay. So, okay, how far again did it go?

Claimant: All the way.

-27-

Adjuster: All the way up to your thigh?

Claimant: All the way up.

Adjuster: Okay.

Claimant: That's why everyone was joking what broke my fall, yeah.

Adjuster: Okay. Left leg actually. Okay all the way to...

Claimant: My groin.

Adjuster: Okay. Okay, and then the right leg, how did it go out, with streaks split out?

Claimant: Um... It seemed like my leg was stuck back at an angle. And like I was basically, I guess I was, uh, spread eagle maybe.

Adjuster: Okay.

Claimant: Cause I didn't even move. I just put my weight on foot so basically I, I didn't even lift my left, my right foot up yet. So...

Adjuster: Okay. And you got caught at that point, right?

Claimant: Yeah. That's when I lost my right foot. My, my left foot went into the hole.

Adjuster: Okay. And then of course you dropped the poles, right?

Claimant: Yeah.

Adjuster: You let go. Okay. Were you carrying anything else other than the poles?

Claimant: No.

Adjuster: Okay. And as far as the injuries... Okay, so your left... What part of your legs are injured?

-28-

Claimant: Um...Well, it was actually my groin. My...I feel like I pulled both groins, but then, um, right now, it was...The only thing that is going, at the time? Or what is bothering me now? At the time?

Adjuster: Yeah.

Claimant: Okay.

Adjuster: We can go back to that, yeah?

Claimant: Okay. Cause it was basically my whole left side, I believe it was like from my rib cage all the way down to past my knees. And on my right side, it was just my thigh and my groin area.

Adjuster: Okay. So the right side was the...? groin and the

Claimant: It was...It was just my...

Adjuster: Groin and the...?

Claimant: My thigh.

Adjuster: Thigh. Okay.

Okay. And the whole left side felt from your, so your rib cage?

Claimant: My, about...Right below my rib cage to my, below my knee.

Adjuster: Okay. So like maybe waist?

Claimant: Yeah, my waist.

Adjuster: Waist side. Okay. To your knee?

Claimant: Yes.

Adjuster: Okay. Okay. Compared from when the injury first happened and now, now, do you feel it's improved, worsening?

-29-

**Claimant:** Um. . Some areas have improved. Um...My groin area and my right hip, I mean my right thigh has improved, but my hip area's basically stayed the same.

**Adjuster:** Okay.

**Claimant:** It's like right in my hip and above my left cheek.

**Adjuster:** Okay. So, okay, now, where would you describe, where are the symptoms you're still feeling then. You said your left hip?

**Claimant:** Yeah, my hip and my, um, my...

**Adjuster:** Your buttocks?

**Claimant:** Right above my buttocks. Yes. My groin areas are getting better. It still is uncomfortable but it's getting better.

**Adjuster:** Okay. Is...After the injury I noticed you said initially from the both groins, but now, later down the road, does it still feel like both sides?

**Claimant:** Yeah. But they're both getting...It feels better. I mean I can walk a little bit better.

**Adjuster:** Okay. Okay. And if there's any symptoms in the groin area, it's what, just, is it pain, is it?

**Claimant:** It's just, um, it feels like I pulled, like when you pull a muscle or something like that.

**Adjuster:** Okay. Do you feel it only when you walk?

**Claimant:** No.

**Adjuster:** Or when you do certain things?

**Claimant:** No. It's always, the groin area is always there.

**Adjuster:** Okay. Feels like a pulled muscle?

-30-

Claimant: Yeah.

Adjuster: When you're sitting, too, and you're just....

Claimant: Yeah.

Adjuster: You're still, you still feel uncomfortable?

Claimant: Yeah.

Adjuster: Okay.

Claimant: Well, when, when I'm sitting at work, what hurts the most is I guess in my hip and my buttocks, just in my hip area.

Adjuster: Yeah. Okay. Now, to go one by one, the left hip right now.

Claimant: Uh-huh.

Adjuster: Um. Kind of describe what is it you're feeling.

Claimant: Um. More like a burning and throbbing sensation in my hip area.

Adjuster: Is it constant?

Claimant: Constant. It gets worse with certain things I do or if I try to lift myself up real fast.

Adjuster: Okay. So with certain motion, yeah?

Claimant: Yeah.

Adjuster: It feels worse. Okay. Is there any swelling?

Claimant: No, not that I can tell.

Adjuster: Okay.

Claimant: All the swelling pretty much went down already.

Adjuster: Okay. Okay. And in the left, the buttock.

-31-

Claimant: Yeah.

Adjuster: Okay. Describe how that is.

Claimant: Um. Right now it feels like I'm sitting on a wallet but I don't have a wallet there.

Adjuster: Oh, okay. So it feels like, like, um, not really a lump, but it feels like...

Claimant: Like, uh, there's something it's like...

Adjuster: Like something there.

Claimant: Yeah.

Adjuster: And it's not.

Claimant: And like I can up, it's uncomfortable to pick up my, my one year old, but when my 3-year-old wants to, I can't even pick him up. It just feels like the whole thing just wants to give.

Adjuster: Um-hm. Is the buttock, is it painful or is it kind of just uncomfortable?

Claimant: It's uncomfortable now but certain things I do it painful. Like when I'm driving, if I, a certain way I put my legs it gets uncomfortable and real painful.

Adjuster: Um-hm.

Claimant: So I have to really adjust all the time.

Adjuster: Okay and is that constant too then?

Claimant: The throbbing is something that is constant. The pain, the pain level varies.

Adjuster: Okay. So the throbbing is in the buttock area, too yeah?

Claimant: Yeah. Yeah.

-32-

Adjuster: Okay. Okay.

Okay. Any other?

Claimant: Well.

Adjuster: Right now, problems?

Claimant: My knee just, um, when I come over and I lift my knee up a certain way in the back area there's a little burning sensation every now and then.

Adjuster: Okay.

Claimant: But that's gotten better.

Adjuster: The left knee, yeah?

Claimant: Yeah.

Adjuster: Okay. So some burning sensation.

Claimant: Yeah. But that's gotten better.

Adjuster: Okay. That's good then. And this is you said behind the knee?

Claimant: Yes.

Adjuster: Okay. Okay. Anything else?

Claimant: No.

Adjuster: Okay. When you fell, um, when you fell through and the accident happened...

Claimant: No.

Adjuster: Did you hit your head or anything like that? Lose consciousness?

Claimant: I don't think I did.



-33-

Adjuster: Okay.

Claimant: So.

Adjuster: Um...What about your left, um, your calf?

Claimant: No, my calf already was, everything seemed fine below my knee. It's just my knee area was real sore.

Adjuster: Okay.

Claimant: And up, so...

Adjuster: Okay so everything below the knee?

Claimant: Yeah.

Adjuster: Your foot and all that?

Claimant: Yeah. It was, it felt okay.

Adjuster: Okay. And then where did you go get treatment?

Claimant: I went to see Dr. Kaneshiro.

Adjuster: Okay.

Claimant: The next morning. Cause I didn't think it was serious enough to go take to the emergency room.

Is there a tissue around here somewhere?

Adjuster: Um. I'm sorry, no.

Claimant: No?

Adjuster: Okay. And is Dr. Kaneshiro your personal doctor? Is he...?

Claimant: No. No.

Adjuster: Okay. Is he more like, is he a special, or he's orthopedic, yeah?

-34-

Claimant: Yeah.

Adjuster: Okay. You've seen him before, though?

Claimant: Yes.

Adjuster: Is that why you went there? Okay.

Claimant: Yes, he took care of my shoulder.

Adjuster: Okay. And who do you consider your personal family doctor?

Claimant: Uh... Doctor Seribella Gallermo. Don't ask me how to spell it.

Adjuster: Gallermo though?

Claimant: Gallermo, yes.

Adjuster: And the first name how do you say it?

Claimant: Seribella.

Adjuster: With a C or S?

Claimant: S.

Adjuster: Okay. Okay. And was it your own free choice to see Dr. Kaneshiro?

Claimant: Yes.

Adjuster: Okay. And how many times have you seen Dr. Kaneshiro so far?

Claimant: 3 times.

Adjuster: 3 times, okay. On the first visit what did he do for you?

Claimant: Uh... He treated it as just, I guess, bruises and everything. He just told me, uh, stay off of it and rest and he gave me Celebrex.

-35-

Adjuster: Okay. Did he do any x-rays then?

Claimant: He did the x-rays the next week.

Adjuster: Okay.

Claimant: Cause, I guess, I was walking around and I could move so, it didn't seem serious and that's what he said, so...

Adjuster: Oh, okay. Okay. And this first visit was on the following day, yeah?

Claimant: Yes, the second.

Adjuster: Okay. And then on the second visit, is that when he did the x-rays?

Claimant: Yes.

Adjuster: Yeah. Uh...These?

Claimant: Yes.

Adjuster: Okay. So he sent for x-rays of which body parts?

Claimant: Basically my lower back, my hips, and I believe my knee.

Adjuster: Okay. Did he review the x-rays that day with you?

Claimant: Yes.

Adjuster: Okay and was there anything significant?

Claimant: Bone-wise he says it's okay.

Adjuster: Okay.

Claimant: But he says it doesn't show much of soft tissue, so... There's other things for that, he said.

Adjuster: Oh, okay. So he says it's soft tissue?

-36-

Claimant: Well, he says that the bone and everything, the hip and everything, so basically it doesn't show if there's a...

Adjuster: Oh, yeah. The x-rays don't. Yeah.

Claimant: Yeah.

Adjuster: Okay.

Claimant: So he says if it doesn't get better we can look at that later.

Adjuster: Okay.

Claimant: Look at that later.

Adjuster: And so on the second visit he did the x-ray. Did he tell to continue Celebrex or...?

Claimant: Yes.

Adjuster: Okay and did he do anything else like send you to therapy or any other?

Claimant: No.

Adjuster: Okay. And then he wanted you to continue to rest and come back and see him?

Claimant: Yes, I seen him, um...

Adjuster: This date then?

Claimant: Yes.

Adjuster: Okay. Okay. And on the third visit anything different?

Claimant: Uh, well, he wanted to set up a PT and so he...I had asked if I could get some PT and he said, yes, I guess, he was saying that was a good idea but that mainly, I guess, the insurance stuff is still going

-37-

through and he said it wouldn't get approved. So he said we would probably wait until the next visit.

Adjuster: Oh.

Claimant: Cause he said if you do it to soon, it can make things worse, so I'm like, okay.

Adjuster: Okay.

Claimant: So I've just been using heat and everything at home.

Adjuster: Okay. And then did he say, um, I guess based on the 15<sup>th</sup>, the visit, did he say, um, that, you know, it looks like it's progressing what he thinks or did he say anything?

Claimant: He just, um, it looks like I got, um, what was his exact words...? Um, not beat up, um...He says it's getting better but he used the word that it just like, I guess, um, it just takes time with these kinds of injuries, you know.

Adjuster: Okay. Okay. Okay. And then he has you out until...

Claimant: My next visit.

Adjuster: November 1<sup>st</sup> then?

Claimant: Yeah.

Adjuster: Okay.

Claimant: Cause I guess I went a week and a week, and now he says come back in 2 weeks.

Adjuster: Okay.

Claimant: I guess maybe then we can schedule some PT or something...

Adjuster: Yeah. Okay. Okay. Now we need to go through, um, your body parts. Let's see, left knee. Have you ever had any injury to the knee before?

-38-

Claimant: No.

Adjuster: Okay. Left hip?

Claimant: No.

Adjuster: Left buttock?

Claimant: Nope. He keeps saying this is lower...Is this considered the lower back. Cause he says lower back or something.

Adjuster: Yeah. He could. It could be in the same general area.

Claimant: Yeah.

Adjuster: Yeah. He could. For you, he probably feels it's your upper buttocks.

Claimant: Yeah.

Adjuster: And then it's still in the region of the low back.

Claimant: Okay.

Adjuster: Yeah. But have you every had low back?

Claimant: No.

Adjuster: Injury before?

Claimant: No.

Adjuster: Okay. And in your groin area?

Claimant: No.

Adjuster: Okay.

Claimant: I mean... I pulled my groin muscles before.

Adjuster: Yeah.

-39-

Claimant: Playing football.

Adjuster: Cause this would be even if it's not even an injury or even from work.

Claimant: Yeah.

Adjuster: If you ever did it.

Claimant: Yeah.

Adjuster: Or had any ailments or anything.

Claimant: Yeah.

Adjuster: Okay. So pulled groin?

Claimant: Yeah.

Adjuster: Which side?

Claimant: I pulled the right groin before.

Adjuster: Okay.

Claimant: Never to the \_\_\_\_\_.

Adjuster: Ha-ha. When, how long ago was that?

Claimant: That was back in high school.

Adjuster: Okay. Oh, you said that's from, what did you say? Football?

Claimant: Football.

Adjuster: Oh, okay. Okay. Did you need surgery back then?

Claimant: No.

Adjuster: Okay. Did you recover from that?

Claimant: Yeah.

-40-

Adjuster: Okay. Did you need medical treatment?

Claimant: No.

Adjuster: Okay. Okay. So you kind of sucked it up and got better?

Claimant: Yeah.

Adjuster: Okay. Okay. Um... Okay. So again for the left knee, left hip, left buttock or low back, um, never had to see a doctor for any of these body parts?

Claimant: No.

Adjuster: Okay. And your low back too? Never had low back strain, nothing?

Claimant: Mm-mm. No, that's is why I was like, man this sucks.

Adjuster: Ha-ha.

Claimant: I mean it's like.

Adjuster: You're catching up.

Claimant: Like all the age catching up on me. I don't know, I mean, it's like...Especially in, I get my other, my one son is only 20 pounds. The other one is like 35. I'm like, the 20 pound one, I'm like, oh, gosh. I mean he needs something holding him okay.

Adjuster: Oh. You do make a weakling to them, huh? Ha-ha.

Claimant: Yeah. Cause like when I hurt my shoulder it was right before my first son turned one. Now my second son turns one this weekend.

Adjuster: Oh.

Claimant: So I'm like, like man, is this like every time I get a kid, right before they turn one I get hurt or something.



-41-

Adjuster: Ha-ha. No. It's just coincidence. Okay. Now how about on your right thigh, ever injured your right thigh before?

Claimant: No.

Adjuster: Okay. How about any, any part of your right leg?

Claimant: Yes. My, um, my fibia, fibula?

Adjuster: Tibia?

Claimant: Yes. Tibia and the fibula.

Adjuster: Fracture.

Claimant: Yes.

Adjuster: How long ago?

Claimant: Uh... Back in 87.

Adjuster: Okay. And was it from what, just?

Claimant: Playing around in the sand. Spun around and my foot stayed still.

Adjuster: Oh, okay. So that was just recreational?

Claimant: Yeah.

Adjuster: Okay.

Claimant: Not that, you know, it was fun, but I mean, yeah, it just...Ended up that way.

Adjuster: Oh, so, like at the beach or something?

Claimant: Yeah.

Adjuster: Oh.

Claimant: And I still say I scored. Ha-ha.

-42-

Adjuster: Ha-ha. Oh, sounds like volleyball?

Claimant: No, no, no. We were playing football with me and my cousins.

Adjuster: Oh, really? Okay. Now did you have an open fracture, where your skin opened up to this?

Claimant: Yes.

Adjuster: Oh. You had to have surgery then?

Claimant: Yup.

Adjuster: Okay. Remember who the surgeon is?

Claimant: Masao Takai.

Adjuster: Huh?

Claimant: Masao Takai.

Adjuster: Masao?

Claimant: Yeah. I always want to say, almost like miso soup but, uh, Dr. Takai. Yeah.

Adjuster: Okay. He's orthopedic then, yeah? To...

Claimant: Yeah.

Adjuster: Okay. Okay. And how, how did that recover?

Claimant: Good. Better then he thought.

Adjuster: Okay. And you're not seeking treatment for that any more?

Claimant: Nu-uh.

Adjuster: Okay. Good. Well, you were young, so that's a plus too. Um...Okay. Um...Prior work injuries.

-43-

Claimant: Um-hm.

Adjuster: Your shoulder, yeah?

Claimant: Shoulder.

Adjuster: Which shoulder is this?

Claimant: Left.

Adjuster: And what was the kind of injury? Was it a...?

Claimant: Fracture and dislocation.

Adjuster: Did you need surgery on that?

Claimant: Um...They had to go in afterwards, yes.

Adjuster: Okay. And who was the doctor?

Claimant: Dr. Kaneshiro.

Adjuster: Oh, okay. That's right. And that was a claim that we handled, right?

Claimant: Yes.

Adjuster: Okay. Are you still treated for that?

Claimant: No. It still makes a lot of noise. It hurts, but I mean...Ha-ha.

Adjuster: Ha-ha. So does it still get dislocated sometimes?

Claimant: Uh, no, but it...

Adjuster: Sounds?

Claimant: When I roll on it just, it just goes pop, it just moves a lot.

Adjuster: You here that, that sound?

Claimant: Yeah. Then I have like 9 holes in my shoulder,

-44-

but...

Adjuster: Um...Okay. So that ones the...Any other work injuries?

Claimant: Yeah, carpal tunnel.

Adjuster: Okay. Both hands, yeah?

Claimant: Yes.

Adjuster: Okay. And do you remember what year?

Claimant: Uh...I had ulnar neuropathy, ulnar neuropathy?

Adjuster: For your elbow?

Claimant: Yeah.

Adjuster: Left? No, right.

Right elbow neuropathy, they call it?

Claimant: Yeah. Like ulnar neuropathy. Actually both hands and both elbows.

Adjuster: Oh, they did it on this side too?

Claimant: No, they only did, um, my right. They didn't touch my left yet.

Adjuster: Oh, but this is from the same, the carpal tunnel claim then?

Claimant: Yes.

Adjuster: Okay. Oh, I see a scar?

Claimant: And then my happy face.

Adjuster: Yeah. This one on the elbow is from the same injury?

Claimant: Yes.

-45-

Adjuster: Oh, really.

Claimant: Actually this helped more than the carpal tunnel did.

Adjuster: Oh, yeah? They did that later?

Claimant: They did this first. But they said usually this gets better. It didn't get better and then they did this and, oh, it was so much. I would have rather done this instead of this.

Adjuster: Oh. Yeah. They going to do the one up in the wrist first. Yeah.

Claimant: Cause they said usually it takes care of it, but my problem was it was, uh, the burning sensation came in here, so...But it was so, evidently, so much difference.

Adjuster: Um. Yeah.

Claimant: And now good I don't have a, I mean, my funny bone is different. So I can actually... anybody hurt. Ha-ha.

Adjuster: Why would you do that? Ha-ha.

Claimant: No. My cousins want to play around, you know.

Adjuster: Okay. What year was this, do you remember?

Claimant: Umm... I want to say '97.

Adjuster: I don't...

Claimant: Um... Around '97, '98. Cause it was even when I was... I couldn't remember if was '97 or '98 I went out.

Adjuster: Okay. I'll just put '97, '98. And the left side, no surgery?

Claimant: No surgery.

-46-

Adjuster: Okay. And who was the doctor for this?

Claimant: Uh... Dr. Hario.

Adjuster: Oh. How do you spell that? Do you know?

Claimant: Uh...H-A-R-I-O. Hario.

Adjuster: H-A-R-I-O.

Claimant: Something like that.

Adjuster: Where's is he? Is he private practice?

Claimant: Um... Medical, Honolulu Medical Group.

Adjuster: Oh, okay. Any other work injuries?

Claimant: No.

Adjuster: Okay.

Claimant: Not that I can think of.

Adjuster: Okay. Oh and the employer for that, that was the Generators Hawaii?

Claimant: Yes.

Adjuster: Okay. Are you still treating for the carpal tunnel?

Claimant: Um... They're not actually treating nothing important but...

Adjuster: Okay. So medical treatment is none?

Claimant: None.

Adjuster: Okay, have you ever been involved, um, have sustained any injuries from a motor vehicle accident?

Claimant: Yeah, I had a car accident.

Adjuster: What year?

-47-

Claimant: Uh... '89, '90.

Adjuster: '89 or '90?

Claimant: Yeah.

Adjuster: Okay. And did you have injuries though?

Claimant: Yes. Uh...

Adjuster: Two?

Claimant: My neck, I had a, I have a fusion. C7 to C4

Adjuster: Oh. C7 to C4?

Claimant: Yes.

Adjuster: Okay. So you had a herniation there?

Claimant: Yeah.

Adjuster: Okay. What did, who was your surgeon?

Claimant: Uh... Dr. Sakoda.

Adjuster: Okay. How is your neck now?

Claimant: Oh, perfect.

Adjuster: Yeah?

Claimant: Actually, I have better rotate, I mean, I get healed better, I healed real good, actually, I make doctors look real well. I mean real good.

Adjuster: You're a good patient then? Ha-ha.

Claimant: I guess.

Adjuster: Okay.

Claimant: I had full rotation, even when I got hired as a part

-48-

timer, at first, they're like, oh, no, you can't do it. You know. I said, well, tell me what I have to do and if I can't do it, then you say I can't do it. If not, just tell me what I need to know.

Adjuster: Yeah.

Claimant: So, anyway, I'm lucky.

Adjuster: So the fusion worked really good.

Claimant: Oh, yeah. And then I was a guinea pig. Because before they used to go through the back. They made a plate and they went through the front.

Adjuster: Yeah, cause...

Claimant: So I was one of the first.

Adjuster: Cause they do more front now, I think.

Claimant: Yeah. Uh...I was actually the first here.

Adjuster: Patient to do that.

Claimant: Yeah. I was supposed to go up to the mainland to do it, but they ended up doing down here. Then after me, Dr. Sakoda did this lady, and she fell in the bathroom and broke her fall with the tub and the, the toilet and the plate moved. The plate actually popped out. So she had to go to emergency again.

Adjuster: Oh.

Claimant: So it paid off. I mean, I have real good mobility and everything.

Adjuster: Yeah. Okay. Are you still treating for that now.?

Claimant: Mm-mm.

Adjuster: Okay. And who was the insurance company that was handling your case?



-49-

Claimant: I had AIG I think before. I've had... I think it was AIG.

Adjuster: Oh, okay. Any other motor vehicle accidents.?

Claimant: No.

Adjuster: Okay. How about any, um... Okay. Sports related incidents, this is besides the, the fractured tibia, fibula, even though that was recreational, that was football.

Claimant: Yeah.

Adjuster: And then you had the, the right groin pull in football.

Claimant: Nothing. Nothing major. Just stitches here and there.

Adjuster: Okay. Just like lacerations, cuts, and that?

Claimant: Yeah.

Adjuster: Okay.

Claimant: Numerous.

Adjuster: Any serious slip and falls. Like you might have fallen down a flight of stairs, broke a tail bone, lost consciousness, you know, struck your head...?

Claimant: Oh, I've blacked out and cracked the back of my head. Um... I want to say in '87. I had to go on a high salt diet.

Adjuster: Cause of that?

Claimant: Yeah. Because I had a low heart rate and low blood pressure.

Adjuster: Oh.

Claimant: I'm lucky

-50-

Adjuster: Wow.. That's unusual somebody goes on high salt diet.

Claimant: I'm able to eat all the salt and all the sugar I want.

Adjuster: You can eat all the plate lunches you wan. So when...?

Claimant: All the stuff everybody throws away I eat. Ha-ha.

Adjuster: Ha-ha. So what year was that?

Claimant: I want to say late '80s. I really can't tell you.

Adjuster: Okay, late 80s. Okay. Now how was, where did this fall happen.?

Claimant: In my own house.

Adjuster: Okay. And where was it? Down stairs or something?

Claimant: No, it was in the bathroom. Cause I cracked the back of my head on the tub.

Adjuster: Oh, okay. So fell in the tub?

Claimant: Yeah. Oh, and I had a boogie boarding accident. Well, actually it was, they called it a boogie boarding accident, but see my friend was boogie boarding and I was fishing. Um... I split the, my forehead open on a reef.

Adjuster: Oh, that's what you got...This crease is.?

Claimant: Yeah.

Adjuster: Okay.

Claimant: Crease is there.

Adjuster: That was a laceration, then?

Claimant: Yeah. But they keep, they keep saying it's a boogie

-51-

boarding accident cause when they asked my friends, they said. Okay, we were boogie boarding and Bert hit a rock. So I was like, I was, I had buckets and I was fishing in the tidal pools. So they keep calling it boogie boarding accident, so....

Adjuster: You were fishing though?

Claimant: Yeah. But they keep, they kept calling it a boogie boarding accident, cause my friends had told them, um, the firemen that they were boogie boarding and stuff like that and...It was like...

Adjuster: Did they ask you?

Claimant: We were all together, you know what I mean?

Adjuster: So they just assumed you were boogie boarding?

Claimant: Yeah. So...

Adjuster: But what was it that hit your head?

Claimant: I actually slipped and then I went straight down and then something, I just glazed this rock. And it just ripped it and then when I fell in the water, I started tumbling I guess and that's when all the surf just starting tearing it off.

Adjuster: Oh, you probably looked pretty, not too good right then.

Claimant: Yeah. I thought I lost my eye.

Adjuster: Oh.

Claimant: Cause basically I...The eye just rolled up with the skin.

Adjuster: Oh, really?

Claimant: Pretty intense. I wish I had a picture.

Adjuster: You have been through a lot for...Ha-ha.

-52-

Claimant: Ah.

Adjuster: Okay. So you just slipped, yeah?

Claimant: I almost forgot about that one. But even then that was just basically a laceration.

Adjuster: Yeah.

Claimant: But they had to do, I guess, plastic surgery and stuff so.

Adjuster: Yeah.

Claimant: Messed up my hair real bad. Now I have a bad part. It's stuff, so...

Adjuster: Yeah. I can't even tell.

Claimant: It's all in here.

Adjuster: Okay. Were you ever in the military?

Claimant: No.

Adjuster: Armed Services? Um...What is your height?

Claimant: 5'10".

Adjuster: And approximate weight?

Claimant: 210.

Adjuster: And have you ever been diagnosed or are you being treated for high blood pressure?

Claimant: No.

Adjuster: And how about diabetes?

Claimant: No.

Adjuster: Okay.

-53-

Claimant: Already in the family.

Adjuster: That high salt diet might come back and haunt you.  
Ha-ha.

Claimant: Then I just stop taking the salt.

Adjuster: Yeah. Was that just for a short time, though, they give you that?

Claimant: No, actually, I, back then, I thought I ate a lot of salt. Now I just like I put it on everything. You know it's like...

Adjuster: Why do they do that? What did it have to do with the...?

Claimant: Cause I didn't want to take pills everyday to raise my blood pressure.

Adjuster: Oh, is that why they think you fainted.?

Claimant: Yeah.

Adjuster: I mean you fell?

Claimant: They think my heart rate would drop. When I stood out of bed it dropped and they just thought I was sleeping and I got up and as when I was in the hospital they had me on a monitor 24 hours so they was noticing a real mean drop when I stand up and stuff.

Adjuster: Oh.

Claimant: And I'd be in bed watching TV and my heart rate would be about like 48, 50 and you know it says... And I could actually make it go lower if I just really relax.

Adjuster: And that, and they think and, or do you know that's what happened when you fell?

-54-

Claimant: That's what happened when I fell.

Adjuster: Oh, okay.

Claimant: They see everything went blank and prior to that I use to always black out, so that's... Ever since I have been on a high salt diet nothing.

Adjuster: Okay. Um...Okay. What, well, as far as the accident, what happened? How it happened, basically, I think lighting was an issue, but what you just basically said, you know, I know the hole was there...It kind of...a certain accident.

Claimant: Yes, it's an accident, I mean.

Adjuster: There's nothing to do with negligence here or...?

Claimant: No, just the light...I mean even with the lighting you have to step over so much stuff it's hard. There's no way to point fingers, I mean, everyone was saying it was my fault, cause I stepped in a hole or I was, like, you know, to me it's even when I hurt my shoulder it's just an accident.

Adjuster: Yeah. It just happened, yeah?

Claimant: Yeah.

Adjuster: Yeah. Oh, by the way, um, so what kind of shoes were you wearing? Was it like work boots?

Claimant: Yeah, my work shoes.

Adjuster: Oh, okay.

Claimant: Still those. And then they're the ones that are electro-rated so we don't get shocked.

Adjuster: Electro-rated?

Claimant: Yeah. I mean these...You're supposed to be able stand on a live wire and not get shocked.

-55-

Adjuster: Oh, really.

Claimant: Cause there's a lot of static electricity on those boats. So to me, I...I tend to attract electricity so.

Adjuster: Okay. Okay. We do give you the opportunity to, to you know, add anything you want to add. You don't have to but...

Claimant: No, no.

Adjuster: Anything? Okay.

Claimant: Nope. Nothing.

Adjuster: Okay.

Claimant: I don't think, there's, to me, it's nobodies fault. I mean.

Adjuster: Um-hm.

Claimant: Lighting could've been better, but, you know, it's not a perfect world so...

Adjuster: Yeah. Okay. And I know it was nighttime, too, so it made it...impacted...

Claimant: Early, early evening. It was just that the way the containers are stacked you couldn't see. I mean if you got to the end you can see, but inside you can't see nothing so...

Adjuster: Okay. Well, we have no further questions, so, once again, were you aware that this conversation was being recorded?

Claimant: Yes.

Adjuster: And was it done with your consent?

Claimant: Yes.

-56-

**Adjuster:** And was the information provided accurate to the best of your knowledge?

**Claimant:** Yes.

**Adjuster:** Okay. This concludes the interview.